

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**SIGMA DEVELOPMENT  
CORPORATION,  
Plaintiff,**

**v.**

**TGP SECURITIES, INC., BORIS  
EPSHTEYN AND JAMES TAMMARO,  
Defendants.**

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**CIVIL ACTION NO. 4:16-cv-02555**

**PARTIES' STATEMENT REGARDING DISMISSAL**

**TO THE HONORABLE COURT:**

Pursuant to the Court's Conditional Dismissal Order entered September 26, 2017 [ECF 48], this case was dismissed without prejudice to reinstatement if the settlement were not documented before November 27, 2017. The parties have drafted and exchanged documentation of the settlement as referenced in the Court's Order of September 26, 2017, but such has yet to be fully executed, although it is believed that such execution is imminent. Additionally, under the terms of that settlement, the parties agreed that, should the settlement not be consummated by December 31, 2017, that the parties shall have the right to resume litigation of their claims. Accordingly, the parties hereby give notice under the Conditional Dismissal Order only to prevent the dismissal of this case from becoming final prior to consummation of the settlement. Accordingly, the parties ask the Court to clarify that this case shall remain subject to reinstatement if any party gives notice to the Court that the settlement has not been consummated on or before January 8, 2018.

[Signature blocks appear on following page.]

Respectfully submitted,

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*and James Tammaro*

CERTIFICATE OF SERVICE

I hereby certify that I have electronically submitted for filing a true and correct copy of the above via the CM/ECF of the Southern District of Texas, on 27 November 2017 to:

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